

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Priya Harriram

Write the full name of each plaintiff.

CV
(Include case number if one has been assigned)

-against-

Do you want a jury trial?

☒ Yes ☐ No

City University of New York,
Lehman College,

Susan E. Ebersole, Bridget Barbera.

Write the full name of each defendant. The names listed
above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

RECEIVED
CLERK OF COURT
2022 NOV 14 PM 12:07

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Priya Harriram
 First Name Middle Initial Last Name
2870 Grand Concourse, Apt #3
 Street Address
Bronx New York 10458
 County, City State Zip Code
929-535-2052 _____
 Telephone Number Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1: City University of New York
 Name
205 East 42nd Street, 11th Floor
 Address where defendant may be served
New York NY 10017
 County, City State Zip Code

Defendant 2: Lehman College
 Name
250 Bedford Park Blvd West, Shuster Hall Room 376
 Address where defendant may be served
Bronx NY 10468
 County, City State Zip Code

Defendant 3:

Susan E. Ebersole

Name

250 Bedford Park Blvd W, Shuster Hall Room 310

Address where defendant may be served

Bronx

County, City

NY

State

10468

Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:

Lehman College

Name

250 Bedford Park Blvd West, Shuster Hall Room 238

Address

Bronx

County, City

NY

State

10468

Zip Code

III. CAUSE OF ACTION

A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☒ **Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin**

The defendant discriminated against me because of my (check only those that apply and explain):

- ☒ race: Asian
- ☐ color: _____
- ☐ religion: _____
- ☐ sex: _____
- ☒ national origin: Trinidad

Page 2

I. PARTIES

B. Defendant Information

Defendant 4: Bridget Barbera
250 Bedford Park Blvd W, Shuster Hall Room 376
Bronx, NY 10468

- ☒ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: Asian

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☐ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☒ Other (may include other relevant federal, state, city, or county law):

Title IX of the Education Amendments of 1972

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☒ did not hire me
- ☐ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☒ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☒ other (specify): prohibit me from hire, prohibit me from taking Math courses at Lehman College, issued multiple no contact orders, prohibit me from attending an event.

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

Defendants continue to retaliate against me due to the fact that I have a pre-existing case against them. They have harassed me and created a hostile environment on many occasions. Attached is a detailed document with its Exhibit Content explaining the Defendants capricious and arbitrary actions against me. (see attached)

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? November 3, 2022

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? November 7, 2022

When did you receive the Notice? November 7, 2022

☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

- ☐ direct the defendant to hire me
- ☐ direct the defendant to re-employ me
- ☐ direct the defendant to promote me
- ☐ direct the defendant to reasonably accommodate my religion
- ☐ direct the defendant to reasonably accommodate my disability
- ☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

- 1) The defendants should allow me to attend events.
- 2) The defendants should allow me to attend Math courses at Lehman College.
- 3) The defendants should not prohibit me from hire.
- 4) Their should be a dismissal of the multiple "No Contact" Order.
- 5) The "No Contact" Order should be removed from my file with CUNY and Lehman College.
- 6) I am entitled to money damages such as the student activities fees reimbursement.
- 7) I am entitled to money damages for painful suffering, emotional distress and mental anguish.

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

11/12/22
 Dated
Priya
 First Name
Harriram
 Last Name
2870 Grand Concourse, Apt #3
 Street Address
Bronx
 County, City
NY
 State
10458
 Zip Code
929-535-2052
 Telephone Number
 Email Address (if available)

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

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IV- Statement of Claim

B. Facts

**United States District Court
Southern District of New York
Office of the Clerk of Court, Ruby Krajick**

This is to inform you about the facts in terms of Employment Discrimination that I would like to present to the Court. On August 10, 2022, I applied via email for a position as a Notetaker for the Disability Office at Lehman College. On that same day, August 10, 2022, I emailed Doreen Patrick, CUNY Office Assistant and she confirmed that her supervisor would be able to hire me. On August 29, 2022 at 11:07am, Ms. Patrick emailed me the HR documents to be completed for my hire. (Exhibit 1) On August 29, 2022, at 11:00am, I participated in a Zoom meeting in which Ms. Patrick explained how to fill-out the HR hiring documents. (Exhibit 2) On that same day, August 29, 2022, Robert Hernandez, sent me a drop box link to upload my completed HR hiring documents. (Exhibit 3) On August 31, 2022 around 9:43am Ms. Patrick called me to inform me that she could not hire me. Specifically, she stated HR was told by the Legal Department of Lehman College not to hire me. (Exhibit 4) I know Bridget Barbera is the official in the Legal Department who have caused me not to be hired. In 2021, I filed a lawsuit against the College based on national origin (Trinidadian - American) and race (Asian) discrimination. In retaliation for participating in the protected activity of filing a lawsuit against the College about employment discrimination, I am now being blacklisted from hire as a form of discrimination and retaliation for having an existing lawsuit.

On September 15, 2022 I was prohibited from attending an open public event at Lehman College. The event was the Launch of the New Business School at Lehman College. This event was open to the public. (Exhibit 5) The public includes: Alumni, Students, Faculty, Staff and Guests. I am a current student of Lehman College. My

especially a public event which is free. (Exhibit 10) Around 3:50pm I met with a staff, Rutherland and I explained to him that I am not allowed to the event and he escorted me to pick up my name tag, he stated that it is a public function. However, Deputy Director of Public Safety, Gregory Nigri stated that the event is a private function. Based on Lehman News, which is a document that Lehman College wrote and published to the public on the Launch of the New Business School the event is open to the public. So again Mr. Nigri was creating false statements that created a hostile environment and made me feel very unsafe and threatened. (Exhibit 11) I emailed Deidre H. Constant (Senior Advisor for the Business School) and she stated that the event is open to students who RSVP'D. (Exhibit 12) Collectively, Ms. Ebersole, Mr. Wilson and his coworker Mr. Nigri provided me with false statements and their actions were capricious and arbitrary. As seen in an email, the College made Launch of the New Business School in a YouTube video and as the transcript of the YouTube video states students and alumni was attending the event. (Exhibit 13 & Exhibit 14) As a student, I pay for student activity fees and these fees include events. (Exhibit 15 & Exhibit 16)

On September 20, 2022 and September 23, 2022 Director of Operations, Denny Santos emailed me requesting a meeting otherwise he would place disciplinary charges on my file. (Exhibit 17) I received a No Contact Order for all the Defendants: Fera, Wynne, Morgan, Washington, and Delgado via email from Mr. Santos. (Exhibit 18, Exhibit 19 & Exhibit 20) I emailed Mr. Santos to understand why I am receiving this no contact order since I started the Fall 2022 term on August 25, 2022. He didn't issue me a no contact order until nearing 1 month around September 20, 2022. Based on the documents Mr. Santos provided: Henderson Rules and Article XV (Exhibit 21 and Exhibit 22), I have a legitimate reason to be on campus and I have the same right if not more of a right to have attended the event that I was prohibited to attend since I am a student at the College. On September 28, 2022 I had an appointment with Mr. Santos but he was not cooperative. I also emailed him to get a copy of the Investigative Report but he did not comply. (Exhibit 23) Also when I asked him to provide me with all the

official room numbers that the defendants are located he told me to look it up. I asked him "what if the defendants lie about me, how do you conduct your investigation?" He said, "I will question the witnesses." He also stated that the no order contact goes on my file. Mr. Santos made it clear he did not want to answer any questions. In addition, my no contact order bans me from taking Math courses at Lehman College. I have asked Mr. Santos for an accommodation to take my courses when Professor Fera and Professor Wynne is not there. He told me that I have to take math courses at another CUNY. He is giving false information as Article XV and Henderson's Rules does not apply to me.

This is a violation of Title VII of the Civil Rights Act of 1964 as amended and a violation of Title IX of Education Amendments of 1972. I am being harassed, intimidated and retaliated because I have a prior case detailing Unequal Employment Discrimination at Lehman College. All the above actions from Ms. Barbera, Ms. Ebersole, Mr. Wilson and Mr. Nigri, Mr. Santos and Lehman College as the entity and individuals actions is arbitrary and capricious. (Exhibit 24 Voice Recordings)

I am hoping and praying that this petition will grant the following. I would like to not be barred from hire at Lehman College. I would like to attend events without any illegal prohibition. I would like my personnel file as a student to be cleared of the no contact order as well as any other charges I may not know about. In addition, dismiss the no contact order. I would like to be able to take any Math classes at Lehman College with an accommodation to take the course when Professors Wynne and Professor Fera is not around. I believe I am entitled to money damages for my Student Activity Fees for Fall 2022. As well as money damages for painful suffering and mental anguish.

I am respectfully submitting this to the Office of the Clerk of Court.

Respectfully Submitted,

Prepared By

Priga Harriman
Plaintiff

Verified Complaint

LYDIA E. CRUZ
Commissioner of Deeds City of New York
Certificate Filed in Bronx County
No. 3-7319
Commission Expires May 1, 2024

Subscribed and sworn to before me
on 14 day of NOV 2022
Lydia E. Cruz
Notary Public

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.	Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 520-2023-00667 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>
New York State Division Of Human Rights and EEOC <i>State or local Agency, if any</i>	

Name (indicate Mr., Ms., Mrs.)	Home Phone	Year of Birth
Ms. Priya Harriram	929-535-2052	
Street Address		
2870 Grand Concourse Apt 3 BRONX, NY 10458		
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)		
Name	No. Employees, Members	Phone No.
CUNY - Lehman College	501+ Employees	
Street Address		
250 Bedford Blvd West Shuster Hall Room 230 JEROME, NY 10468		
Name	No. Employees, Members	Phone No.
Street Address		City, State and ZIP Code
DISCRIMINATION BASED ON	DATE(S) DISCRIMINATION TOOK PLACE	
Retaliation	Earliest 08/10/2022	Latest 08/31/2022
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):		
On August 10, 2022, I applied via email for a position as a Notetaker for the Disability Office at Lehman College. On that same day, August 10, 2022, I emailed Doreen Patrick, CUNY Office Assistant and she confirmed that her supervisor would be able to hire me. On August 26, 2022, at 11:01am, Ms. Patrick emailed me the HR documents to be completed for my hire. On August 29, 2022, at 11:00am, I participated in a Zoom meeting in which Ms. Patrick explained how to fill-out the HR hiring documents. On that same day, August 29, 2022, Robert Hernandez, sent me a drop box link to upload my completed HR hiring documents. On August 31, 2022, Ms. Patrick called me to inform me that she could not hire me. Specifically, she stated HR was told by the Legal Department of Lehman College not to hire me. I believe, Bridget Barbera is the official in the legal department who may have caused me not to be hired. In 2021, I filed a lawsuit against the College based on national origin (Trinidadian - American) and race (Asian) discrimination. In retaliation for participating in the protected activity of filing a lawsuit against the College about employment discrimination, I am now being barred from hire, taking math classes and attending function(s) with a no order contact (September 20, 2022), all in violation of Title VII of the Civil Rights Act of 1964, as amended.		

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Ms. Priya Harriram 11/03/2022 <div style="text-align: right;"><i>Charging Party Signature</i></div>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office
33 Whitehall St, 5th Floor
New York, NY 10004
(929) 506-5270
Website: www.eeoc.gov

CLOSURE AND NOTICE OF RIGHTS (This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 11/07/2022

To: Ms. Priya Harriram
2870 Grand Concourse Apt 3
BRONX, NY 10458

Charge No: 520-2023-00667

EEOC Representative: D. Young
Investigator

DISMISSAL OF CHARGE

The EEOC is closing this charge for Administrative Convenience – in court on a related matter.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the Administrative closure of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission,

Digitally Signed By: Timothy Riera
11/07/2022

Timothy Riera
Acting District Director

Cc:

Joan.margiotta@cuny.edu

Eric.washington@lehman.cuny.edu

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a FOIA Request or 2) a Section 83 request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your request for the charge file promptly to allow sufficient time for EEOC to respond and for your review. Submit a signed written request stating it is a "FOIA Request" or a "Section 83 Request" for Charge Number 520-2023-00667 to the District Director at Timothy Riera, 33 Whitehall St 5th Floor

New York, NY 10004.

You can also make a FOIA request online at <https://eeoc.arkcase.com/foia/portal/login>.

Enclosure with EEOC Notice of Closure and Rights (01/22)

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA Requests and Section 83 Requests, go to:
<https://www.eeoc.gov/eeoc/foia/index.cfm>.

EXHIBIT CONTENT

- Exhibit 1... Email-HR hiring documents from Ms. Patrick*
- Exhibit 2... Email- Zoom invitation from Ms. Patrick*
- Exhibit 3... Email-Drop Box link to attach completed HR documents*
- Exhibit 4... Email from Ms. Patrick stating the revocation of hiring me*
- Exhibit 5... Email stating what the Pubic event is about*
- Exhibit 6... Document that proves I am a Student and not an Alumni*
- Exhibit 7... Email stating that I am not allowed on campus & I am not allowed to attend the public event*
- Exhibit 8... Email of me RSVP to the event*
- Exhibit 9... Email of a confirmation that I am allowed to attend the event*
- Exhibit 10... Document that explains that Alumni's Benefits in which they don't pay to attend events*
- Exhibit 11... Document in which Lehman News write that the event is public*
- Exhibit 12... Email from my Advisor that states as long as person RSVP they are able to attend the event*
- Exhibit 13... Email from a Lehman employee who sent me the link of the event that Lehman College made available on YouTube*
- Exhibit 14... YouTube video transcript of the event that proves it is open to students and alumni.*
- Exhibit 15... Document that explains students pay for student activities fees which includes events*
- Exhibit 16... My Tuition Bill which includes paid student activity fees*
- Exhibit 17... Email stating that I must attend a meeting with Mr. Santos*
- Exhibit 18... No Contact order Harriram/Fera*
- Exhibit 19... No Contact order Harriram/Wynne*

Exhibit 20... ..No Contact Harriram/Barbera/Washington/Delgado/Ewing-Morgan

Exhibit 21... .. Document emailed to me from Mr. Santos- Henderson Rules

Exhibit 22... ..Document emailed to me from Mr. Santos-Article XV

Exhibit 23... ..Emailed Mr. Santos for his Investigative Report that led to the “No Contact” order

Exhibit 24... ..Voice Recordings-Specialist Wilson denying me entry on Campus/Asking for Permission to Enter Campus/Spoke with Administrators in regards to the event/Interviewed students & alumni who attended the event pt.1 & pt. 2

Exhibit 1

5

HR FORMS

DP Doreen
Patrick <DOREEN.PATRICK@leh
man.cuny.edu>

To: PRIYA HARRIRAM

Mon 8/29/2022 11:01 AM



Fw4-2022.pdf
172 KB



i-9-paper-version 8-22-22.pdf
Saved to OneDrive



IT 2104_fill_in-2022.pdf
509 KB



NY-State-Direct-Deposit-For...
2 MB



Personal-Data-Form-2021.pdf
113 KB

5 attachments (4 MB)

[Download all](#)

Hello Priya,

See attached forms which need to be filled out.

Doreen Patrick
CUNY Office Assistant
Student Disability Services
718-960-8441

Exhibit 2

2

Doreen Patrick's Zoom Meeting

Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>

Mon 8/29/2022 11:07 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Doreen Patrick is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://lehman-cuny-edu.zoom.us/j/85619420519?pwd=T05Kd3h6WDZtN1RDbzI1V3B1L2Z5Zz09>

Meeting ID: 856 1942 0519

Passcode: 129019

One tap mobile

+19292056099,,85619420519# US (New York)

+16469313860,,85619420519# US

Dial by your location

+1 929 205 6099 US (New York)

+1 646 931 3860 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Washington DC)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

+1 564 217 2000 US

Meeting ID: 856 1942 0519

Find your local number: <https://lehman-cuny-edu.zoom.us/u/kcztgmNP2I>

Join by SIP

85619420519@zoomcrc.com

Join by H.323

162.255.37.11 (US West)

162.255.36.11 (US East)

115.114.131.7 (India Mumbai)

115.114.115.7 (India Hyderabad)

213.19.144.110 (Amsterdam Netherlands)

213.244.140.110 (Germany)

103.122.166.55 (Australia Sydney)

103.122.167.55 (Australia Melbourne)

149.137.40.110 (Singapore)

64.211.144.160 (Brazil)

149.137.68.253 (Mexico)

69.174.57.160 (Canada Toronto)

65.39.152.160 (Canada Vancouver)
207.226.132.110 (Japan Tokyo)
149.137.24.110 (Japan Osaka)
Meeting ID: 856 1942 0519
Passcode: 129019

Microsoft Teams meeting

Join on your computer or mobile app

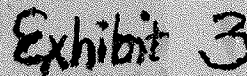
[Click here to join the meeting](#)

Meeting ID: 225 419 247 598
Passcode: NkZJrp
[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 315-314-2882,,652080874#](#) United States, Syracuse
Phone Conference ID: 652 080 874#
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Exhibit 3

3

RE: PRIYA HARRIRAM

Roberto Hernandez <ROBERTO.HERNANDEZ2@lehman.cuny.edu>

Mon 8/29/2022 12:57 PM

To: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>; PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Cc: Miriam Malave <MIRIAM.MALAVE@lehman.cuny.edu>; Julissa Torres
<JULISSA.TORRES@lehman.cuny.edu>

Doreen,

Here is the drop box link you requested for Priya Harriram where she can upload all her documents:

<https://www.dropbox.com/request/1y51d8sKZxtuVfSUeGL8>

Please make sure they also upload the following supporting documents:

1. Identification-See page 3 of form I-9 for acceptable forms of identification.
2. Voided check or electronic direct deposit form from their banking institution.
3. Unofficial transcripts. Must be a full time student, 10 credits and above , to be exempt from fingerprinting.

Best,

Roberto

Roberto Hernandez | roberto.hernandez2@lehman.cuny.edu**Business Data Reporting Analyst | Onboarding Specialist****Human Resources | Lehman College | CUNY****250 Bedford Park Blvd West, Bronx, NY 10468-1589****Shuster Hall 230 | Tel 718-960-8181 | Fax 718-960-1191****LEHMAN**
COLLEGE**CUNY****From:** Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>**Sent:** Monday, August 29, 2022 12:36 PM**To:** Miriam Malave <MIRIAM.MALAVE@lehman.cuny.edu>; Roberto Hernandez
<ROBERTO.HERNANDEZ2@lehman.cuny.edu>; Julissa Torres <JULISSA.TORRES@lehman.cuny.edu>**Cc:** PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>**Subject:** PRIYA HARRIRAM

Good afternoon HR staff,

I am in the process of hiring Priya Harriram as a Student Aide. She has all of the HR forms and is aware that she has to upload her unofficial transcript. Please send her the drop box link. Her e-mail address is

priya.harriram@lc.cuny.edu. We would like her start date to be 9/6 if possible.

Doreen Patrick
CUNY Office Assistant
Student Disability Services
718-960-8441

Exhibit 4

4

RE: Paperwork

Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>

Wed 8/31/2022 2:44 PM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Hello,

The person spoke with my supervisor. She was from the legal office at Lehman. I do not know her name.

Doreen Patrick, CUNY Office Assistant
Student Disability Services
718-960-8441

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Sent: Wednesday, August 31, 2022 1:02 PM

To: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>

Subject: Re: Paperwork

Hi Doreen,

I would like to contact the person from Human Resources who told you that you can't hire me, can you please provide me with their name?

I spoke with the CUNY Executive Director of Human Resources from CUNY Central, Malhotra at 10:16am. And I was told something different.

Thank you,
Priya

Get [Outlook for iOS](#)

From: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>

Sent: Wednesday, August 31, 2022 10:28:24 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Subject: RE: Paperwork

You're welcome.

Doreen Patrick, CUNY Office Assistant
Student Disability Services
718-960-8441

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Sent: Wednesday, August 31, 2022 10:28 AM

To: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>

Subject: Re: Paperwork

Thank you Doreen for the phone call today letting me know that Human Resources told you that you can't hire me.

I am surprised.

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From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>
Sent: Wednesday, August 31, 2022 9:40 AM
To: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>
Subject: Re: Paperwork

Thank you Doreen.

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From: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>
Sent: Wednesday, August 31, 2022 9:25:39 AM
To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>
Subject: RE: Paperwork

Hello Priya,

This is the response I received from Roberto in HR.

I'll send you all the whole hiring packet and fingerprinting instructions real soon. We are still looking for Priya's hiring documents and I-9 when she first got onboarded.

I've reached out to Miriam and she mentioned she'll be looking into this afternoon when she has time.

We do apologize for any inconvenience this may have caused and we are grateful for all your patience throughout this onboarding process.

Best,

Roberto

Doreen Patrick, CUNY Office Assistant
Student Disability Services
718-960-8441

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>
Sent: Wednesday, August 31, 2022 8:10 AM
To: Doreen Patrick <DOREEN.PATRICK@lehman.cuny.edu>
Subject: Paperwork

Good Morning Doreen,

I would like what is the next step for the application process.

Thank you,

Priya

Get Outlook for iOS

Exhibit 5

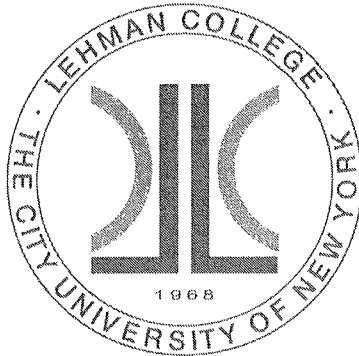
5

Join me for the launch of the Lehman College School of Business

President Delgado <institutional.advancement+lehman.cuny.edu@ccsend.com>

Thu 8/4/2022 2:43 PM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>



Greetings from Lehman College!

Exciting plans are underway to officially launch the Lehman College School of Business, the College's 6th School, on Thursday, September 15, from 3:30 to 5:30 p.m. on the Lehman College campus. This will be the first and only business school at a public college in the Bronx and Westchester. The Lehman College community would be honored to have the pleasure of your company for this historic moment. Kindly find a save the date for the launch of the School of Business event below.

Should you have additional questions regarding the event or plans for the School of Business, contact institutional.advancement@lehman.cuny.edu.

We hope you will be able to join us.

Sincerely,

Fernando Delgado
President



Save the Date

for the

Launch of the Lehman College

School of Business

Thursday, September 15

3:30-5:30 p.m.

Lehman College

250 Bedford Boulevard Park West

Bronx, NY 10468

Details to follow.

For more information, email us at
institutional.advancement@lehman.cuny.edu.

Lehman College | 250 Bedford Park Blvd. West, Bronx, NY 10468

[Unsubscribe priya.harriram@lc.cuny.edu](mailto:Unsubscribe_priya.harriram@lc.cuny.edu)

[Update Profile](#) | [Constant Contact Data Notice](#)

Sent by institutional.advancement@lehman.cuny.edu powered by



Try email marketing for free today!

Exhibit 6

6

Priya Harriram

Major: Accounting BA
Concentration: Accounting 42 credits
Last Term Enroll: Fall 2022
Email: PRIYA.HARRIRAM@LC.CUNY.EDU
Phone: 929/535-2052

Emplid: 10904199 (Campus Entry ID)

Library ID: 21982013912559

Campus Entry Status

Eligible to Enter Campus:

Yes

Reason:

You are currently enrolled **and** you meet one of the following requirements as per CUNY's policy:

- Vaccination or
- Weekly Testing or
- Random Testing

If you have any questions, please visit the Student Vaccination Mandate FAQ or contact lehman.lva@lehman.cuny.edu.

notifications
Notifications

You have no notifications at this time

Fw: As concerns the event at Lehman

Exhibit 7

Fausto Ramirez <FAUSTO.RAMIREZ@lehman.cuny.edu>

Thu 9/15/2022 1:55 PM

To: Gregory Nigri <GREGORY.NIGRI@lehman.cuny.edu>; Ezequiel Pagan

<EZEQUIEL.PAGAN@lehman.cuny.edu>; Alexis Roman <Alexis.Roman@lehman.cuny.edu>; Aston Wilson
<ASTON.WILSON@lehman.cuny.edu>; Theresa Grant <THERESA.GRANT@lehman.cuny.edu>

Cc: Samuel Gonzalez <SAMUEL.GONZALEZ@lehman.cuny.edu>; Edwin Freytes

<EDWIN.FREYTES@lehman.cuny.edu>; Angelica Nunez <ANGELICA.NUNEZ@lehman.cuny.edu>; Cesar Polonia
<CESAR.POLONIA@lehman.cuny.edu>; Robert Cepeda <ROBERT.CEPEDA1@lehman.cuny.edu>

1 attachments (73 KB)

Priya Harriam.jpg

FYI & ATTENTION

She is not allowed on campus please alert all Gates.

From: Susan Ebersole <Susan.Ebersole@lehman.cuny.edu>

Sent: Thursday, September 15, 2022 1:49 PM

To: Priya Harriam <PRIYA.HARRIRAM@lehman.cuny.edu>

Subject: As concerns the event at Lehman

Dear Ms. Harriam,

You have RSVP'd for tonight's function celebrating the opening of the Lehman College School of Business. It has come to our attention that you are not up to date with respect to your alumni dues, are not considered an active member of the Lehman Alumni Association, and as such, your invitation was issued in error.

This event is open for all faculty and staff but not for the student body at large. You are not permitted to join the event. Public Safety as well as College administrators have been notified.

Sincerely yours,

Susan Ebersole

Susan E. Ebersole
Vice President, Institutional Advancement and
Executive Director, Herbert H. Lehman College Foundation
Lehman College, The City University of New York
Shuster Hall, Room 310
250 Bedford Park Boulevard West
Bronx, NY 10468
Phone: 718-960-8350 Mobile: 347-387-1555
susan.ebersole@lehman.cuny.edu

www.lehman.edu

Exhibit 8

8

Will be attending

PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Fri 9/9/2022 4:38 PM

To: institutional.advancement@lehman.cuny.edu <institutional.advancement@lehman.cuny.edu>

I am RSVP to this event. I will be attending.

Thank you so much!

Priya

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EXHIBIT 9

CONFIRMATION: Official Launch of the Lehman College School of Business | Thursday, September 15, 2022

Tara Regist Tomlinson <Tara.Registtomlinson@lehman.cuny.edu>

Tue 9/13/2022 10:41 AM

To: institutional advancement <INSTITUTIONAL.ADVANCEMENT@lehman.cuny.edu>



LEHMAN COLLEGE

School of Business

Dear Esteemed Guests,

We look forward to seeing you in just a few days on the Lehman College campus to celebrate a significant milestone, the official launch of our institution's sixth school, the Lehman College School of Business. The Honorable Vanessa L. Gibson, Bronx Borough President, and Bloomberg LP's Head of Diversity & Inclusion, Americas, Ms. Fatima Shama, will be our guest speakers at the celebration. Below, you will find some important information to ensure your timely arrival and to familiarize you with the flow of the afternoon. **Please bring this confirmation email with you on Thursday.** Should you have additional questions or concerns, do let us know.

DATE: Thursday, September 15, 2022

TIME: 3:30 p.m. – Program

4:00 p.m. – Reception

4:30 p.m. – Students-Led Tour of the Bloomberg Lab

5:00 p.m. – Students-Led Tour of the Bloomberg Lab

5:30 p.m. – Event ends

LOCATIONS: *Lehman College Entrances:*

Gate 8 - 250 Bedford Park Boulevard West, Bronx, NY 10468; or

Gate 5 - 2912 Goulden Avenue, Bronx, NY 10468

Program and Reception: Lehman Center for the Performing Arts

ATTIRE: Business

**COVID
Protocol:**

Proof of full vaccination or a negative COVID PCR test administered from an accredited lab within 7 days prior to event is required for entry onto the Lehman College campus along with a current photo identification

PARKING:

Parking is extremely limited. Please use public transportation, if possible. If you require parking, kindly reply to this email with the year, make, model, color, and license plate of your vehicle. You will receive another confirmation email with a designated parking location.

QUESTIONS:

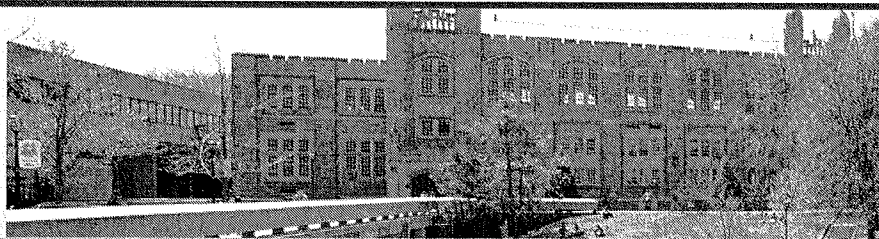
Email institutional.advancement@lehman.cuny.edu



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Benefits & Services (Due to COVID-19, our on-campus benefits and services are temporarily closed til further notice.)

A validated Lehman College Alumni I.D. will entitle you to the following on-campus benefits & services:

APEX to join this exclusive, state-of-the-art sports complex at a special alumni rate.

Special alumni discounted rate when joining the APEX

[View APEX membership rates](#)

Buyer's Edge Inc. (Available Virtually)

Discounts on an array of items. To view, please visit www.BuyersEdgeInc.com

User name and password provided at the time you become a member of the Alumni Association.

Career Services (Available Virtually)

Career counseling

Help with résumé and cover letters

Job Listings

Career Fairs

[Visit the Career Services page](#)

Continuing Education Courses (Available Virtually)

A 15% discount on eligible Continuing Education courses.

[Visit the School of Continuing and Professional Studies Web site](#) for course offerings and schedules. For more details or to register call: 718-960-8512.

Information Technology Resources

Access to the computers

Lehman College E-mail address

Lehman College Library

Alumni are welcome to visit and use the Library services in person - no borrowing privileges or off-campus online access to the Library system.

Performing Arts Center

Discounted prices on most College events (one discount per member)

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11

News Center

Exhibit 11

[More Lehman News](#)

Lehman College Launches Pioneering School of Business

Wednesday, July 20, 2022



By LISA HIRSCHFIELD

On July 1, after 10 years of planning, Lehman College opened the first and only business school at a public college in the Bronx and Westchester. The Lehman School of Business is the College's sixth school and the second launched within the past decade. The new academic unit was approved by CUNY's Board of Trustees in December 2021.

Formerly the Department of Economics and Business, the School of Business builds on the College's strong reputation within the business community and will serve as a major pipeline for preparing diverse talent from underrepresented populations for local, regional, national, and international workforce needs.

"The School of Business will create an opportunity for even deeper and broader learning experiences for our students interested in business education and careers in areas such as management, accountancy, finance, economics, and marketing," said Lehman president Fernando Delgado. "Further, as the school evolves and matures, the focus on experiential learning and the expertise of our faculty can be a tremendous resource to Bronx-based businesses."

It's more than a new name—the status change was proposed with growth in mind. The designation will facilitate the development of new majors, an increase in faculty, and expanded enrollment.

The School offers five undergraduate degrees in accounting, business, and economics and two M.S. degrees in accounting and business are offered. Students currently enrolled in business and economics programs can now pursue majors in three new departments: Accounting; Management and Business Innovation; and Finance, Information Systems, and Economics.

Specialized programs of study include entrepreneurship and small business development, with a focus on internships and field experience, according to Dene Hurley, interim dean. The School is already working with industry partners and small businesses in the Bronx to develop rich experiential learning opportunities for students.

"Establishing a School of Business signals to students, prospective students, and employers that we are committed to producing skilled graduates who have real-world experience, a global perspective, and a capacity for creative problem-solving in an industry that continues to evolve," said Peter O. Nwosu, provost and senior vice president for Academic Affairs and Student Success.

"These partnerships have already started to create pathways for our students to pursue internship and employment opportunities—both critical to the success of our graduates," he added.

The College will publicly celebrate the School's launch on September 15, 2022.

Exhibit 12

12

RE: Are students allowed to the event -Launch of the Lehman College School of Business?

Deirdre Constant <DEIRDRE.CONSTANT@lehman.cuny.edu>

Fri 9/16/2022 10:34 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Hi Priya,

Believe that it was open to those who rsvp'd. Some students attended.

It was yesterday in the Performing Arts Building.

Best regards,

Deirdre H. Constant

Senior Advisor & Advising Manager

School of Business

Carman Hall - 352, Lehman College

Schedule advising appointments on: Navigate

www.lehman.edu

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Sent: Friday, September 16, 2022 9:59 AM

To: Deirdre Constant <Deirdre.constant@lehman.cuny.edu>

Subject: Fwd: Are students allowed to the event -Launch of the Lehman College School of Business?

Hi Deirdre,

I hope everything is well. I would to know the launch of the Lehman College School of Business, was it also open to all students? See attached screenshot.

Thank you,

PriyaGet Outlook for iOS

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Sent: Thursday, September 15, 2022 9:01 PM

To: diedra.constant@lehman.cuny.edu <diedra.constant@lehman.cuny.edu>

Subject: Are students allowed to the event -Launch of the Lehman College School of Business?

Hi Diedra,

I hope everything is well. I would to know the launch of the Lehman College School of Business, was it also open to all students? See attached screenshot.

Thank you,
Priya

Exhibit 13 13

Re: Launch of School of Business 9/15/22 3:30pm-5:30pm -quick question.

HENRY.OVALLES1@lehman.cuny.edu <HENRY.OVALLES1@lehman.cuny.edu>

Wed 9/21/2022 1:36 PM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Hello Priya,

Since the launch was not held in one of our spaces, I am not sure what the attendance protocol was. However, I do know that the college has now made a video of the event available. Here's the link:

<https://www.youtube.com/watch?v=tTDWfRpQgo4>



Thanks,

Henry

Henry Ovalles
Associate Director
Lehman Stages
Production Services & Event Planning
718.960.8024/Fax: 718.960.8836

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>
Sent: Wednesday, September 21, 2022 12:29 PM
To: Henry Ovalles <henry.ovalles1@lehman.cuny.edu>
Subject: Launch of School of Business 9/15/22 3:30pm-5:30pm -quick question.

Hello Henry,

I would like to know if the event last week -Launch of Lehman College School of Business on 9/15/22 from 3:30pm-5:30pm was open to those who RSVP? And if it was opened to students who RSVP?

Thank you,
Priya



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Exhibit 15

15

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- [New York State Guidance](#)
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Student Fees

Below is the list of general student fees, along with more context for how student tuition and fees are used in a remote teaching and learning context and how the value of a Lehman College education is maintained. Without student fees, Lehman College would have to offer fewer class options, less digital support and reduced virtual student services.

Read a message from President Lemons: [The Tuition and Fees Value Proposition in the Time of COVID-19: Should I Get a Refund?](#)

- **Student Activity Fees** are being used to fund workshops, hire tutoring staff, support Student Government Association virtual activities including hundreds of now virtual events, programs and activities; provide tele-counseling and services for students with disabilities and more. Without student fees, Lehman College would have to offer fewer class options, less digital support and reduced virtual student services.
- **Technological Support:** As you may know, the Bronx is one of areas in New York City where the digital divide is most acute. We need more computer hardware and software licenses to support students with loaner devices, money to help ship or otherwise distribute such devices safely; a growing number of software systems for online teaching and delivery; and support for our expanded virtual food bank, career services, and mental health support for students in need. The student Tech Fee (\$125 per semester for full-time students, \$62.50 for part-time students) also pays for student tech support such as the online chatbot, online library resources and journals, the Health Center online student portal and many other services. Together, these added costs exceed any savings from having classes off campus, even with CARES Act funding.
- **Personnel Costs & Course Delivery:** Part of what student tuition and fees pay for in 2020 include the costs of online delivery of more than 3,000 course sections, including the professional development and training opportunities for staff and faculty, and the technological upgrades and maintenance required to do so.

Schedule of Fees

Student Activity Fee

12 or more credits and/or equated credits.	\$99.60
Fewer than 12 credits and/or equated credits.	\$66.60
(SUMMER ONLY) Per Summer Session	\$43.10

Technology Fee

Full-Time Students (12 or more credits and / or equated credits)	\$125.00
Part-Time Students (Fewer than 12 credits and / or equated credits)	\$62.50
(SUMMER ONLY)	\$62.50

Consolidated Fee

Payable by all students (including senior citizens)	\$15.00
-----------------------------------------------------	----------------

A full [fee schedule](#) is available on the Bursar's Office website.

[back to top](#)

250 Bedford Park Boulevard West
Bronx, NY 10468 | [718-960-8000](tel:718-960-8000)

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Exhibit 16

16

11/11/2022 12:47 PM

Student Account Statement

Page 1 of 1

**LEHMAN**
COLLEGE

Harriram, Priya
2870 Grand Concourse
Bronx, NY 10458-2700

2022 Fall Term Statement				Student ID: 10904199		
<u>Previous Balance:</u>						\$0.00
<u>Term Charges:</u>						
		Change of Program Fee				\$18.00
		Student Senate Fee				\$1.45
		CUNY Consolidated Fee				\$15.00
		CUNY Technology Fee				\$62.50
		Student Activity Fee				\$65.15
		Undergrad Degree Resident				\$915.00
		Total Term Charges				\$1,077.10
<u>Credits:</u>						
		eCheck Gateway Payment				(\$18.00)
		eCheck Gateway Payment				(\$1,059.10)
		Total Credits				(\$1,077.10)
		Total Due				\$0.00
<u>Class Schedule</u>						
Course	Class Section	Session	Class Title	Units	Status	Component
SPA-111	53208-ZG81	Regular	Elementary Spanish I	3	Enrolled	Lecture
SPA-111	55031-G401	Regular	Elementary Spanish I	3	Dropped	Lecture

The information in this Statement is accurate as of the date and time indicated at the top of the Statement. However, all information is subject to change depending on any change in your circumstances relating to tuition, fees, financial aid, payments, credits or class schedule. This is not a final bill.

Office of the Bursar || Lehman College || 250 Bedford Park Boulevard West || Bronx || NY || 10468-1527

Exhibit 17

17

Student Affairs Initial Meeting request

Denny Santos <DENNY.SANTOS@lehman.cuny.edu>

Mon 9/19/2022 11:59 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

September 19, 2022

Priya Harriram
10904199

Dear Ms. Harriram-

It has come to our attention that you are currently enrolled at Lehman College as an undergraduate student (second undergraduate degree). The Office has also learned of the prior circumstances and events involving you, Professor Joseph Fera and Professor Brian Wynne. In light of this information, we are requesting to meet with you right away, on Tuesday, September 20, 2022 at 5pm in the Office of Student Affairs, Shuster Hall room 204. It is very important that you respond to this request, failure to respond could lead to further disciplinary charges being filed and a hold placed on your student account.

Please see attached for CUNY's Article XV Disciplinary policy and the Rules for Public Order (Henderson Rules),

Sincerely,

--

Denny Santos, Interim Director of Compliance and Operations

Office of Student Affairs

[Schedule a Meeting with Denny](#)

Shuster Hall, Room 204

718.960.8242, Denny.Santos@lehman.cuny.eduLEHMAN COLLEGE
DIVISION OF

Student Affairs | CUNY

No contact Order.Harriram/Fera

Exhibit 18

18

Denny Santos <DENNY.SANTOS@lehman.cuny.edu>

Tue 9/20/2022 10:54 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

LEHMAN COLLEGE: NO CONTACT ORDER

September 20, 2022

CONFIDENTIAL

Priya Harriram

2870 Grand Concourse

Bronx, NY 10458

Dear Priya Harriram,

This letter serves as official notice that you are to refrain from contacting in any manner Professor Joseph Fera from this point forward and until otherwise notified. Contact can be defined as, but is not limited to, any or all of the following carried out by yourself or an intermediary/third party (with the exception of an attorney):

Written: Via mail, letter, text message, etc.

Verbal: Via telephone, voicemail, in person etc.

Electronic: Via email, social media, skype, etc.

Non-Verbal: Via other means including pictures, videos, music, etc.

In addition, you are not permitted to take any in-person courses in the Math Department and are not permitted to take any courses that are taught by Professor Fera. If need be, the College will help facilitate your taking e-permit courses at other CUNY institutions.

Any action deemed to be in violation of this no contact order will be taken seriously and considered retaliation. Further action may be taken by this administration as a result, which could include suspension or expulsion. In addition, please be aware that Professor Fera has been notified of this No Contact Order and the expectation that there will be no contact between the parties.

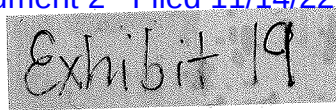
If you believe that you have a question or concern that involves Professor Fera or this no Contact Order in general, please contact our office to speak with us regarding this. Furthermore, our office may be in contact with you regarding other measures that may need to be taken as a result of this no contact order. These actions may include class schedule adjustments, residence hall restrictions/assignment adjustments, on campus work schedule adjustments, etc.

If you have questions about this notice, please feel free to contact me at Denny.Santos@lehman.cuny.edu 718.960.8242.

Sincerely,

Denny Santos

Interim Director of Compliance and Operations
Office of Student Affairs
Shuster Hall, Room 204



No contact Order.Harriram/Wynne

Denny Santos <DENNY.SANTOS@lehman.cuny.edu>

Tue 9/20/2022 10:55 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

LEHMAN COLLEGE: NO CONTACT ORDER

September 20, 2022

CONFIDENTIAL

Priya Harriram

2870 Grand Concourse

Bronx, NY 10458

Dear Priya Harriram,

This letter serves as official notice that you are to refrain from contacting in any manner Professor Brian Wynne from this point forward and until otherwise notified. Contact can be defined as, but is not limited to, any or all of the following carried out by yourself or an intermediary/third party (with the exception of an attorney):

Written: Via mail, letter, text message, etc.

Verbal: Via telephone, voicemail, in person etc.

Electronic: Via email, social media, skype, etc.

Non-Verbal: Via other means including pictures, videos, music, etc.

In addition, you are not permitted to take any in-person courses in the Math Department and are not permitted to take any courses that are taught by Professor Wynne. If need be, the College will help facilitate your taking e-permit courses at other CUNY institutions.

Any action deemed to be in violation of this no contact order will be taken seriously and considered retaliation. Further action may be taken by this administration as a result, which could include suspension or expulsion. In addition, please be aware that Professor Wynne has been notified of this No Contact Order and the expectation that there will be no contact between the parties.

If you believe that you have a question or concern that involves Professor Wynne or this no Contact Order in general, please contact our office to speak with us regarding this. Furthermore, our office may be in contact with you regarding other measures that may need to be taken as a result of this no contact order. These actions may include class schedule adjustments, residence hall restrictions/assignment adjustments, on campus work schedule adjustments, etc.

If you have questions about this notice, please feel free to contact me at Denny.Santos@lehman.cuny.edu 718.960.8242.

Sincerely,

Denny Santos

Interim Director of Compliance and Operations
Office of Student Affairs
Shuster Hall, Room 204

Exhibit 20

20

No contact Order.Harriram/Delgado/Washington/Ewing-Morgan/Barbera

Denny Santos <DENNY.SANTOS@lehman.cuny.edu>

Fri 9/23/2022 11:26 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

STUDENT AFFAIRS DIRECTIVE

CONFIDENTIAL

September 23, 2022

Priya Harriram
2870 Grand Concourse
Bronx NY 10458

Dear Ms. Harriram

This letter serves as official notice from the Office of Student Affairs that you are to have no contact with the following individuals: President Fernando Delgado, Eric Washington, Dawn Ewing-Morgan, and Bridget Barbera. The Office of Student Affairs has been made aware that there is litigation involving yourself and the above-named parties and as a result you are to have no communication or contact with the parties while on campus. You are not permitted to visit these individuals at their offices in Shuster Hall and contact can be defined as, but is not limited to, any or all:

Written: Via mail, letter, text message, etc.

Verbal: Via telephone, voicemail, in person etc.

Electronic: Via email, social media, skype, etc.

Non-Verbal: Via other means including pictures, videos, music, etc.

Any action deemed to be in violation of this directive will be taken seriously and considered retaliation. Further action may be taken by this administration as a result, which could include suspension or expulsion.

If you have questions about this notice, please feel free to contact me at Denny.Santos@lehman.cuny.edu 718.960.8242.

Sincerely,

Denny Santos

Interim Director of Compliance and Operations
Office of Student Affairs
Shuster Hall, Room 204

Exhibit 21

21

Henderson Rules**Rules**

1. A member of the academic community shall not intentionally obstruct and/or forcibly prevent others from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.
2. Individuals are liable for failure to comply with lawful directions issued by their representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
3. Unauthorized occupancy of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.
4. Theft from or damage to University/college premises of property, or theft of or damage to property of any person on University/college premises is prohibited.
5. Each member of the academic community or an invited guest has the right to advocate his position without having to fear abuse, physical, verbal, or otherwise, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.
6. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus obstructs and/or forcibly prevents

others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

7. Disorderly or indecent conduct on University/college-owned or controlled property is prohibited.
8. No individual shall have in his possession a rifle, shotgun, or firearm or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.
9. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation or affiliation with any organization is prohibited.
10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University/college premises, or as part of any University/college activities is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than (5) days after such conviction.
11. The unlawful possession, use, or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

Penalties

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to the following range of sanctions as hereafter defined in the attached Appendix: admonition, warning,

censure, disciplinary probation, restitution, suspension, expulsions, ejection, and/or arrest by the civil authorities.

2. Any tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of The City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program. A tenured or non-tenured faculty member, or other member of the instructional staff, or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be entitled to be treated in accordance with applicable provisions of the Education Law, or the Civil Service Law, or the applicable collective bargaining or the Civil Service Law, or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.
3. Any visitor, licensee, or invitee, engaging in any manner in conduct prohibited under substantive Rules 1-11 shall be subject to ejection, and/or arrest by the civil authorities.
4. Any organization which authorized the conduct prohibited under substantive rules 1-11 shall have its permission to operate on campus rescinded.

Penalties 1-4 shall be in addition to any other penalty provided by law or The City University Trustees.

Appendix

Sanctions Defined:

A. Admonition.

An oral statement to the offender that he has violated university rules.

B. Warning.

Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct, within a period of time stated the warning, may cause far more severe disciplinary action.

C. Censure.

Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any University regulation within a period stated in the letter of reprimand.

D. Disciplinary Probation.

Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.

E. Restitution.

Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

F. Suspension.

Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

G. Expulsion.

Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.

H. Complaint to Civil Authorities.

I. Ejection.

A true copy of resolution adopted by the Board of Trustees of The City University of New York on June 23, 1969, as amended on October 27, 1980, May 22, 1989, and June 25, 1990.

Exhibit 22

22

ARTICLE XV STUDENTS

SECTION 15.0. PREAMBLE.

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Student participation, responsibility, academic freedom, and due process are essential to the operation of the academic enterprise. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to learn and to explore major social, political, and economic issues are necessary adjuncts to student academic freedom, as is freedom from discrimination, as set forth in the university's non-discrimination policy.

Freedom to learn and freedom to teach are inseparable facets of academic freedom. The concomitant of this freedom is responsibility. If members of the academic community are to develop positively in their freedom; if these rights are to be secure, then students should exercise their freedom with responsibility.

SECTION 15.1. CONDUCT STANDARD DEFINED.

Each student enrolled or in attendance in any college, school or unit under the control of the board and every student organization, association, publication, club or chapter shall obey (1) the laws of the city, state and nation; (2) the bylaws and resolutions of the board, including the rules and regulations for the maintenance of public order pursuant to article 129-a of the education law ("Henderson rules"); and (3) the governance plan, policies, regulations, and orders of the college.

Such laws, bylaws, resolutions, policies, rules, regulations and orders shall, of course, be limited by the right of students to the freedoms of speech, press, assembly and petition as construed by the courts.

SECTION 15.2. STUDENT ORGANIZATIONS.

- a. Any group of students may form an organization, association, club or chapter by filing with the duly elected student government organization of the college or school at which they are enrolled or in attendance and with an officer to be designated by the chief student affairs officer of the college or school at which they are enrolled or in attendance (1) the name and purposes of the organization, association, club or chapter, (2) the names and addresses of its president and secretary or other officers corresponding in function to president and secretary.

The board recognizes that students have rights to free expression and association. At the same time, the board strongly believes that respect for all members of the university's diverse community is an essential attribute of a great university.

Each student leader and officer of student organizations recognized by or registered with the institution, as well as those seeking recognition by the institution, must complete training on domestic violence, dating violence, stalking, and sexual assault prevention and on CUNY's Policy on Sexual Misconduct prior to the organization receiving recognition or registration.

- b. Extra-curricular activities at each college or school shall be regulated by the duly elected student government organization to insure the effective conduct of such college or school as an institution of higher learning and for the prevention of activities which are hereafter proscribed or which violate the standards of conduct of the character set forth in bylaw 15.1. Such powers shall include:
 - 1. The power to charter or otherwise authorize teams (excluding intercollegiate athletics), publications, organizations, associations, clubs or chapters, and, when appropriate in the exercise of such regulatory power, the power to refuse, suspend or revoke any charter or other authorization for cause after hearing on notice.
 - 2. The power to delegate responsibility for the effective implementation of its regulatory functions hereunder to any officer or committee which it may appoint.
- c.
 - 1. Any person or organization affiliated with the college may file a complaint with the chief student affairs officer if there is reason to believe that a student organization has violated any of the standards of conduct set forth in section 15.1 above. The chief student affairs officer shall promptly notify the affected organization, investigate any complaint and report the results of that investigation along with a recommendation for appropriate action to the complainant and the student government which shall take action as it deems appropriate, except that in the case of a complaint against the student government itself, the chief student affairs officer shall report the results of the investigation and the recommendation for appropriate action directly to the president.
 - 2. The complainant or any student organization adversely affected pursuant to paragraph C (1) above may appeal to the president. The president may take such action as he or she deems appropriate and such action shall be final.
- d. Each college shall establish a student elections review committee in consultation with the various student governments. The student elections review committee shall approve the election procedures and certify the results of elections for student governments, and student body referenda. Decisions of the student elections review committee may be appealed to the college president, whose decision shall be final. An appeal from the decision of the

student elections review committee must be made in writing to the President within ten (10) calendar days of the decision. The President shall consult with the student elections review committee and render a decision as expeditiously as possible which may affirm, reverse, or modify the decision of the student elections review committee.

- e. Student government elections shall be scheduled and conducted, and newly elected student governments shall take office, in accordance with policies of the board, and implementing regulations.

SECTION 15.3. THE UNIVERSITY STUDENT SENATE.

There shall be a university student senate responsible, subject to the board of trustees, for the formulation of university-wide student policy relating to the academic status, role, rights and freedoms of the student. The authority and duties of the university student senate shall not extend to areas of interest which fall exclusively within the domain of the student governments of the constituent units of the university. Consistent with the authority of the board of trustees in accordance with the education law and the bylaws of the board of trustees, the university student senate shall make its own bylaws providing for the election of its own officers, the establishment of its own rules and procedures, for its internal administration and for such other matters as is necessary for its existence. The university student senate shall have the full rights and responsibilities accorded student organizations as provided in these bylaws. The delegates and alternate delegates to the university student senate shall be elected by their respective constituencies or by their student governments from the elected members of the respective student governments.

SECTION 15.4. STUDENT DISCIPLINARY PROCEDURES.

Complaint Procedures:

- a. A University student, employee, organization, department or visitor who believes she/he/it is the victim of a student's misconduct (hereinafter "complainant") may make a charge, accusation, or allegation against a student (hereinafter "respondent") which if proved, may subject the respondent to disciplinary action. Such charge, accusation, or allegation must be communicated to the chief student affairs officer of the college the respondent attends.
- b. The chief student affairs officer of the college or her or his designee shall conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The chief student affairs officer or her or his designee shall advise the respondent of the allegation against her or him, explain to the respondent and the complainant their rights, consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. The preliminary investigation shall be concluded within thirty (30) calendar days of the filing of the complaint, unless: (i) said complaint involves two or more complainants or respondents; or (ii) said complaint

involves a matter that is also under investigation by law enforcement authorities. In those cases, the preliminary investigation shall be completed within sixty (60) calendar days. Further, if the matter has been previously investigated pursuant to the CUNY Policy on Sexual Misconduct, the chief student affairs officer shall dispense with a preliminary investigation and rely on the report completed by the Title IX Coordinator. Following the completion of the preliminary investigation, the chief student affairs officer or designee shall take one of the following actions:

1. Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary action. The individuals involved shall be notified that the complaint has been dismissed;
 2. Refer the matter to mediation (except in cases involving allegations of sexual assault, stalking or other forms of sexual violence); or
 3. Prefer formal disciplinary charges.
- c. In cases involving the CUNY Policy on Sexual Misconduct, both the Complainant and Respondent may be accompanied by an advisor of their choice (including an attorney) who may assist and advise throughout the entire process, including all meetings and hearings. Advisors may represent a party and fully participate at a hearing, but may not give testimony as a witness.
- d. In the event that a respondent withdraws from the college after a charge, accusation or allegation against a respondent has been made, and the college prefers formal disciplinary charges, the respondent is required to participate in the disciplinary hearing or otherwise to resolve the pending charges and shall be barred from attending any other unit of the university until a decision on the charges is made or the charges are otherwise resolved. Immediately following the respondent's withdrawal, the college must place a notation on her/his transcript that she/he "withdrew with conduct charges pending." If the respondent fails to appear, the college may proceed with the disciplinary hearing in absentia, and any decision and sanction shall be binding, and the transcript notation, if any, resulting from that decision and penalty shall replace the notation referred to above

Mediation Conference:

- e. The college may offer the respondent and the complainant the opportunity to participate in a mediation conference prior to the time the disciplinary hearing takes place in an effort to resolve the matter by mutual agreement (except in cases involving sexual assault, stalking and other forms of sexual violence). The conference shall be conducted by a qualified staff or faculty member designated by the chief student affairs officer. The following procedures shall be in effect at this conference:
1. An effort shall be made to resolve the matter by mutual agreement through such process

as the mediator deems most appropriate; provided, however, that the complainant must be notified of her/his right to end the mediation at any time

2. If an agreement is reached, the faculty or staff member conducting the conference shall report her/his recommendation to the chief student affairs officer for approval and, if approved, the complainant and the respondent shall be notified, and a written memorandum shall be created memorializing the resolution and any consequences for non-compliance.
3. If no agreement is reached within a reasonable time, or if the respondent fails to appear, the faculty or staff member conducting the conference shall refer the matter back to the chief student affairs officer who may prefer disciplinary charges, or, if charges have been preferred, proceed to a disciplinary hearing.
4. The faculty or staff member conducting the mediation conference is precluded from testifying at a college hearing regarding information received during the mediation conference, or presenting the case on behalf of the college.

Notice of Charges and Hearing:

- f. Notice of the charge(s) and of the time and place of the hearing shall be personally delivered to the respondent, or sent by certified or overnight mail and email to the address appearing on the records of the college. Notice shall also be sent in a similar manner to the complainant to the extent the charges relate to her/him/it. The chief student affairs officer is also encouraged to send the notice of charges to any other e-mail address that he or she may have for the respondent and the complainant. The hearing shall be scheduled within a reasonable time following the filing of the charges or the mediation conference. Notice of at least seven (7) calendar days shall be given to the respondent in advance of the hearing unless the respondent consents to an earlier hearing. The respondent is permitted one (1) adjournment as of right. Additional requests for an adjournment must be made at least five (5) calendar days prior to the hearing date, and shall be granted or denied at the discretion of the chairperson of the faculty-student disciplinary committee. If the respondent fails to respond to the notice, appear on the adjourned date, or request an extension, the college may proceed in absentia, and any decision and sanction shall be binding.
- g. The notice shall contain the following:
 1. A complete and itemized statement of the charge(s) being brought against the respondent including the rule, bylaw or regulation she/he is charged with violating, and the possible penalties for such violation.
 2. A statement that the respondent and the complainant have the right to attend and participate fully in the hearing including the right:

- (i) to present their side of the story;
 - (ii) to present witnesses and evidence on their behalf;
 - (iii) to cross-examine witnesses presenting evidence;
 - (iv) to remain silent without assumption of guilt; and
 - (v) to be assisted or represented by an advisor or legal counsel at their expense; if the respondent or the complainant requests it, the college shall assist in finding a legal counsel or advisor.
3. A warning that anything the respondent says may be used against her/him at a non-college hearing.

Pre-Hearing Document Inspection:

- h. At least five (5) calendar days prior to the commencement of a student disciplinary hearing, the college shall provide the respondent and the complainant and/or their designated representative, with similar and timely access to review any documents or other tangible evidence that the college intends to use at the disciplinary hearing, consistent with the restrictions imposed by Family Education Rights and Privacy Act ("FERPA"). Should the college seek to introduce additional documents or other tangible evidence during, or some time prior to, the disciplinary hearing, the respondent and the complainant shall be afforded the opportunity to review the additional documents or tangible evidence. If during the hearing the complainant or the respondent submits documentary evidence, the chairperson may, at the request of any other party grant an adjournment of the hearing as may be necessary in the interest of fairness to permit the requesting party time to review the newly produced evidence.

Admission and Acceptance of Penalty Without Hearing:

- i. At any time after receiving the notice of charges and hearing but prior to the commencement of a disciplinary hearing, the respondent may admit to the charges and accept the penalty that the chief student affairs officer or designee determines to be appropriate to address the misconduct. This agreed upon penalty shall be placed on the respondent's transcript consistent with sections u and v herein. Before resolving a complaint in this manner, the chief student affairs officer must first consult with the complainant and provide the complainant an opportunity to object to the proposed resolution, orally and/or in writing. If a resolution is reached over the complainant's objection, the chief student affairs officer or designee shall provide the complainant with a written statement of the reasons supporting such resolution, and the complainant may appeal the decision to enter into the resolution to the president.

Emergency Suspension:

- j. The president or her/his designee may in emergency or extraordinary circumstances, temporarily suspend a student pending an early hearing as provided in this bylaw section 15.4. to take place within not more than twelve (12) calendar days, unless the student requests an adjournment. Such suspension shall be for conduct which impedes, obstructs, impairs or interferes with the orderly and continuous administration and operation of any college, school, or unit of the university in the use of its facilities or in the achievement of its purposes as an educational institution. Prior to the commencement of a temporary suspension of a student, the college shall give the student oral notice (which shall be confirmed via email to the address appearing on the records of the college) or written notice of the charges against her/him and, if she/he denies them, the college shall forthwith give the student an informal oral explanation of the evidence supporting the charges and the student may present informally her/his explanation or theory of the matter. When a student's presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter. The complainant shall be notified in the event that an emergency suspension is imposed against a student, and/or when the suspension is subsequently lifted to the extent that the suspension involves the complainant in the same manner notice is given to the student.

Faculty-Student Disciplinary Committee Structure:

- k. Each faculty-student disciplinary committee shall consist of two (2) faculty members or one (1) faculty member and one (1) member of the Higher Education Officer series (HEO), and two (2) student members and a chairperson, who shall be a faculty member. A quorum shall consist of the chairperson and any two (2) members, one of whom must be a student. Hearings shall be scheduled promptly (including during the summers) at a convenient time and efforts shall be made to insure full student and faculty representation.
- l. The president shall select in consultation with the head of the appropriate campus governance body or where the president is the head of the governance body, its executive committee, three (3) members of the faculty of that college to receive training upon appointment and to serve in rotation as chairperson of the disciplinary committee. The following schools shall be required to select two (2) chairpersons: CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism. If none of the chairpersons appointed from the campus can serve, the president, at her/his discretion, may request that a chairperson be selected by lottery from the entire group of chairpersons appointed by other colleges. The chairperson shall preside at all meetings of the faculty-student disciplinary committee and decide and make all rulings for the committee. She/he shall not be a voting member of the committee but shall vote in the event of a tie.

- m. The faculty members shall be selected by lot from a panel of six (6) elected biennially by the appropriate faculty body from among the persons having faculty rank or faculty status. CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism shall be required to select four (4) faculty members. The HEO members shall be selected by lot from a panel of six (6) HEO appointed biennially by the president. CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism shall be required to select four (4) HEO's. The student members shall be selected by lot from a panel of six (6) elected annually in an election in which all students registered at the college shall be eligible to vote. CUNY School of Law, Guttman Community College, CUNY School of Professional Studies, and the CUNY School of Journalism shall be required to select four (4) students. In the event that the student or faculty panel or both are not elected, or if more panel members are needed, the president shall have the duty to select the panel or panels which have not been elected. No individuals on the panel shall serve on the panel for more than four (4) consecutive years. Notwithstanding the above, in cases of sexual assault, stalking and other forms of sexual violence, the president shall designate from the panels one (1) chairperson, two (2) faculty/HEO members, and two (2) students, who shall be specially trained on an annual basis, and who shall constitute the faculty-student disciplinary committee in all such cases.
- n. In the event that the chairperson cannot continue, the president shall appoint another chairperson. In the event that a seat becomes vacant and it is necessary to fill the seat to continue the hearing, the seat shall be filled from the respective faculty, HEO, or student panel by lottery.
- o. Each academic year, the chief student affairs officer, and her or his designee, shall appoint/identify one or more college employees to serve as presenters for the hearings. This list shall be forwarded to the Office of the Vice Chancellor for Student Affairs, and the Office of the General Counsel and Sr. Vice Chancellor for Legal Affairs prior to the first day of the academic year.
- p. Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.

Faculty-Student Disciplinary Committee Procedures:

- q. The following procedures shall apply to faculty-student disciplinary proceedings:
Hearing:
 - 1. The chairperson shall preside at the hearing. The chairperson shall inform the

respondent of the charges, the hearing procedures and her or his rights.

2. All faculty student disciplinary committee hearings are closed hearings unless the respondent requests an open public hearing. Notwithstanding such requests, the chairperson shall not permit an open hearing in cases involving allegations of sexual assault, stalking, or other forms of sexual violence. Furthermore, the chairperson has the right to deny the request and hold a closed hearing when an open public hearing would adversely affect and be disruptive to the committee's normal operations. In the event of an open hearing, the respondent must sign a written waiver acknowledging that those present will hear the evidence introduced at the hearing.
3. After informing the respondent of the charges, the hearing procedures, and her or his rights, the chairperson shall ask the respondent to respond. If the respondent admits the conduct charged, the respondent shall be given an opportunity to explain her/his actions before the committee and the college shall be given an opportunity to respond and present evidence regarding the appropriate penalty. If the respondent denies the conduct charged, the college shall present its case. At the conclusion of the college's case, the respondent may move to dismiss the charges. If the motion is denied by the committee, the respondent shall be given an opportunity to present her or his defense.
4. Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent thereto, the chairperson may rule on the admissibility of the evidence and may exclude irrelevant, unreliable or unduly repetitive evidence. In addition, if any party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude from the hearing room all persons who are to appear as witnesses, except the respondent and the complainant.
5. The college shall make a record of each fact-finding hearing by some means such as a stenographic transcript, an audio recording or the equivalent. The college must assign a staff member for each hearing, with the sole responsibility of ensuring that the hearing is recorded in its entirety. No other recording of the proceedings may be permitted. A respondent who has been found to have committed the conduct charged after a hearing is entitled upon request to a copy of such a record without cost upon the condition that it is not to be disseminated except to the respondent's representative or attorney. In the event of an appeal, both the respondent and the complainant are entitled upon request to a copy of such a record without cost, upon the condition that it is not to be disseminated except to their representatives or attorneys.

6. The college bears the burden of proving the charge(s) by a preponderance of the evidence.
7. The role of the faculty-student disciplinary committee is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a determination. In the event the respondent is found to have committed the conduct charged, the committee shall then determine the penalty to be imposed.
8. The college, the respondent and the complainant are permitted to have lawyers or other representatives or advisors act on their behalf during the pendency of a disciplinary action, which shall include the calling and examining of witnesses, and presenting other evidence. Any party intending to appear with an attorney shall give the other party 5 (five) calendar days' notice of such representation.
9. The chairperson of the faculty-student disciplinary committee retains discretion to limit the number of witnesses and the time of testimony for the presentations by any party and/or their representative.
10. In the event that the respondent is charged with a sexual assault, stalking or other forms of sexual misconduct, neither the respondent nor the complainant shall be permitted to cross-examine the other directly. Rather, if they wish to, the respondent and the complainant may cross-examine each other only through a representative. If either or both of them do not have a representative, the college shall work with them to find a representative to conduct such cross-examination. In the alternative, the complainant and respondent may provide written questions to the chairperson to be posed to the witness.
11. In a case involving the CUNY Policy on Sexual Misconduct:
 - a) Evidence of the mental health diagnosis and/or treatment of a party may not be introduced.
 - b) Evidence of either party's prior sexual history may not be introduced except that (i) evidence of prior sexual history between complainant and respondent is admissible at any stage of the hearing, and (ii) past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the stage of that hearing related to penalty

Penalty Phase:

12. If the respondent has been found responsible, then all parties may introduce evidence related to the respondent's character including any past findings of a respondents' responsibility for domestic violence, stalking, or sexual assault or any other sexual

violence. The College may introduce a copy of the respondent's previous disciplinary record; including records from any CUNY institution the respondent has attended, where applicable, provided the respondent was shown a copy of the record prior to the commencement of the hearing. The previous disciplinary record shall be submitted to the committee in a sealed envelope, bearing the respondent's signature across the seal, and shall only be opened if the respondent has been found to have committed the conduct charged. The previous disciplinary records, as well as documents and character evidence introduced by the respondent, the complainant, and the college shall be opened and used by the committee for dispositional purposes, i.e., to determine an appropriate penalty if the charges are sustained. The complainant and respondent may also provide or make an impact statement. Such evidence and impact statements shall be used by the committee only for the purpose of determining an appropriate penalty if the charges are sustained.

Decision:

13. The committee shall deliberate in closed session. The committee shall issue a written decision, which shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.
14. The respondent shall be sent a copy of the faculty-student disciplinary committee's decision within seven (7) calendar days of the conclusion of the hearing, by regular mail and e-mail to the address appearing on the records of the college. In cases involving two or more complainants or respondents, the respondent shall be sent a copy of faculty-student disciplinary committee's decision within fourteen (14) calendar days of the conclusion of the hearing. The chief student affairs officer is also encouraged to send the decision to any other e-mail address that he or she may have for the respondent. The decision shall be final subject to any appeal. In cases involving a crime of violence or a non-forcible sex offense, as set forth in FERPA, the complainant shall simultaneously receive notice of the outcome of the faculty-student disciplinary committee's decision as it relates to the offense(s) committed against the complainant, in the same manner as notice is given to the respondent.
15. When a disciplinary hearing results in a penalty of dismissal or suspension for one term or more, the decision is a university-wide penalty and the respondent shall be barred from admission to, or attendance at, any other unit of the university while the penalty is being served.

Appeals:

16. A respondent or a complainant may appeal a decision of the faculty-student disciplinary committee to the president on the following grounds: (i) procedural error, (ii) newly discovered evidence that was not reasonably available at the time of the hearing, or (iii)

the disproportionate nature of the penalty. The president may remand for a new hearing or may modify the penalty either by decreasing it (on an appeal by the respondent) or increasing it (on an appeal by the complainant). If the president is a party to the dispute, her/his functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor or her or his designee. If the penalty after appeal to the president is one of dismissal or suspension for one term or more, a respondent or a complainant may appeal to the board committee on student affairs and special programs. The board may dispose of the appeal in the same manner as the president.

17. An appeal under this section shall be made in writing within fifteen (15) calendar days after the delivery of the decision appealed from. This requirement may be waived in a particular case for good cause by the president or the board committee as the case may be. Within three (3) calendar days of the receipt of any appeal, either to the president or the board committee on student affairs and special programs, the non-appealing party shall be sent a written notice of the other party's appeal. In addition, the respondent and/or the complainant shall have the opportunity to submit a written opposition to the other party's appeal within fifteen (15) calendar days of the delivery of the notice of receipt of such appeal.
18. The president shall decide and issue a decision within fifteen (15) calendar days of receiving the appeal or within fifteen (15) calendar days of receiving papers in opposition to the appeal, whichever is longer. The board committee shall decide and issue a decision within five (5) calendar days of the meeting at which it hears the appeal.

Notations on Transcripts:

19. In cases in which a respondent has been found responsible for a Clery Act reportable crime of violence, the college must place a notation on her/his transcript stating that she/he was suspended or expelled after a finding of responsibility for a code of conduct violation. In all other cases, the college must place a notation of the findings and penalty on a respondent's transcript unless a mediation agreement, the committee's decision, or the decision on any appeal under section 15.4(p), expressly indicate otherwise.
20. A notation of expulsion after a respondent has been found responsible for a Clery Act reportable crime of violence shall not be removed. In all other cases, a notation of expulsion, suspension or any lesser disciplinary penalty shall be removed, as a matter of right, upon the request of the respondent to the Chief Student Affairs Officer made, four years after the conclusion of the disciplinary proceeding or one year after the conclusion of any suspension, whichever is longer. If a finding of responsibility for any violation is vacated for any reason, any such notation shall be removed.

SECTION 15.5. ACTION BY THE BOARD OF TRUSTEES.

Notwithstanding the foregoing provisions of this article, the board of trustees reserves full power to suspend or take other appropriate action against a student or a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of any college, school, or units of the university in the use of its facilities or in the achievement of its purposes as an educational institution in accordance with procedures established by the board of trustees.

SECTION 15.6. COLLEGE GOVERNANCE PLANS.

The provisions in a duly adopted college governance plan shall not be inconsistent with the provisions contained in this article.

Re: Request

Exhibit 23

23

Denny Santos <DENNY.SANTOS@lehman.cuny.edu>

Wed 10/12/2022 9:25 AM

To: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Good Morning Ms. Harriram,

A no-contact order is part of the Student Affairs process and the College can use this tool as an intermediary measure to de-escalate campus issues and is used as one of the tools in lieu of more serious measures such as any kind of probation or campus removal. The College in its discretion, has decided that no contact should be had between you and the individuals named in the no-contact orders. These no-contact orders are for all the parties involved.

--

Denny Santos, Interim Director of Compliance and Operations

Office of Student Affairs

[Schedule a Meeting with Denny](#)

Shuster Hall, Room 204

718.960.8242, Denny.Santos@lehman.cuny.edu



LEHMAN COLLEGE
DIVISION OF

Student Affairs | **CUNY**

From: PRIYA HARRIRAM <priya.harriram@lc.cuny.edu>

Date: Thursday, October 6, 2022 at 5:02 PM

To: Denny Santos <DENNY.SANTOS@lehman.cuny.edu>

Subject: Request

Dear Mr. Santos:

Please send me the investigative report that lead to the "no contact" order at Lehman College's behest.

Thank you,
Priya Harriram

Get [Outlook for iOS](#)